

**STATE OF IDAHO
OUTFITTERS AND GUIDES LICENSING BOARD
SPECIAL CONFERENCE CALL
BOARD MEETING**

FINAL MINUTES

February 24, 2021

**(KEY: MSC = MOTION: MADE, SECOND: CARRIED
MSF = MOTION: MADE, SECOND: FAILED)**

THE SPECIAL MEETING OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 2:00 P.M. ON FEBRUARY 24, 2021 BY A VIDEO CONFERENCE CALL. PARTICIPATING BY CONFERENCE CALL WERE BOARD MEMBERS BRAD COMPTON (CHAIRMAN), LOUISE STARK, ZACH MASON, TAMMY OVERACKER, EXECUTIVE DIRECTOR LORI THOMASON, OFFICE SUPERVISOR AMANDA HARPER, AND BOARD LEGAL COUNSEL JOAN CALLAHAN.

ROLL CALL – A roll call was taken. It was noted that all Board members were in attendance.

BOARD ELECTIONS –MSC (MOTION: STARK; SECOND: OVERACKER; AYES – STARK, MASON, OVERACKER, AND COMPTON; NAYES – NONE) TO ELECT BRAD COMPTON AS THE CHAIRMAN FOR THE BOARD.

Cont. MSC (MOTION: OVERACKER; SECOND: MASON; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) TO ELECT LOUISE STARK AS THE VICE CHAIRMAN FOR THE BOARD.

APPROVE A MODIFIED APPROACH TO THE CONSOLIDATION OF LICENSES – Board Counsel Joan Callahan stated that in January 2021 the Board approved an approach of an analysis and review of the issues involving the consolidation of licenses as a result of a petition from the December 2020 Board meeting. There was an aggressive timeline prepared due to the Board initially wanting this topic to be part of the 2022 license year. This would have required working on the statute and rule at the same time and starting the renewal process before the Legislature would have approved any changes to the Law and Rule. This would have needed several levels of emergency approvals and exceptions to rules and Executive Orders to proceed on the timeline. The guidance from Idaho Division of Occupational and Professional Licenses (IDOPL), which included consultation with the Division of Financial Management (DFM) along with the Governor's office, was to use a normal time frame where the Statute is first worked on this year, but the licensees would not see a change until the 2023 license year commencing on April 1, 2023. She continued there will still be work on this topic well in advance of that, because there will need to be a statute change and then potentially the next year a rule change. IDOPL Section Chief Dawn Hall stated that part of the analysis was that 1. The Board was already slated for their zero-based Rules review in the 2023 session and, 2. The Board has some additional items that they wanted to tackle potentially in both statute and rule. This would allow the Board to look at the statute holistically in the first year and prepare a full look at the rules for that same holistic approach the following year in line with the Governor's zero based regulation requirements. **MSC (MOTION: OVERACKER; SECOND: MASON; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) APPROVE THE PROPOSED AMENDED AGENDA PLAN FOR THE CONSOLIDATION OF LICENSES.**

Cont. The Board asked that Director Thomason make the amended plan for the consolidation of licenses available to the public on the Board website.

REVIEW AND RATIFY ALLOCATED TAG DESIGNATIONS – Counsel explained that Board staff has been working diligently complete the calculations for the newly limited elk and deer hunts the Idaho Department of Fish and Game (IDFG) Commission allocated tags for in November 2020 and that staff proceeded with use verifications based on the direction of the Board at the last Board meeting. She stated that there is one last outfitter that needs to verify their use, but otherwise all calculations are complete for elk and the letters have been sent. The deer calculations were complete as of this morning and are in the Board's packet for review. She continued that a differential worksheet for deer has also been added to the Board's packet that shows the difference in the number of tags that were allocated by the Commission and the base allocation number totals for that same unit. This differential form is to assist the allocation sub-committee on their recommendation to IDFG so they can make a recommendation to the Commission about a potential additional 209 deer tags in the set-aside at their March Commission meeting. She continued that previously the Board has allowed the allocation sub-committee to approve that recommendation, but since that was just finished up today, it is before the entire Board for review and recommendation. **MSC (MOTION: OVERACKER; SECOND: MASON; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) APPROVE AND RATIFY THE FINAL DESIGNATION CALCULATIONS FOR DEER WITH THE EXCEPTION OF UNITS 19 REGULAR, 19A REGULAR, 22 REGULAR, 56 REGULAR, 16A WHITE-TAILED, AND 19A WHITE-TAILED AND GRANT THE SUBCOMMITTEE AUTHORITY TO APPROVE THOSE UNITS AND McCALL A AND B CALCULATIONS.**

Counsel identified an issue where there are units with allocated tags, but after the reporting and verification process, no outfitters reported any use for those hunts. Counsel reviewed the language of the rule about tie breakers and random drawings. Counsel requested direction about how the Board would interpret the rule in those situations where there are multiple allocated tags and not use. **MSC (MOTION: STARK; SECOND: MASON; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) IN HUNTS WITHOUT REPORTED USE TO SPLIT THE ALLOCATION EQUALLY AMONG THE OUTFITTERS AND ANY ADDITIONAL TAGS BE DESIGNATED ON RANDOM DRAWS AND APPLY THIS TO UNITS 22 AND 16A REGULAR DEER TAGS.**

UPDATE ON IDFG PROPOSALS ON CONTROLLED HUNTS AND EXISTING CAPPED HUNTS – Jon Rachael, Regional Supervisor with the Idaho Department of Fish and Game (IDFG), appeared before the Board and updated them on the upcoming proposals for the 2021/2022 big game seasons. He stated the proposals went public on February 8, 2021 and runs through February 25, 2021 for comment. This gives IDFG staff time to go through the proposals collected throughout the State, and then at the regional level there will be recommendations made to the Wildlife Bureau which will be carried through to the Directors office to come up with a final recommendation package across all big game species. This will go to the Fish and Game Commission for action on March 18, 2021. He stated that proposals are not yet final, however it is not the Departments intention at this time to make any attempt to rebalance the allocated outfitter tags in the previously capped elk zones. The Department fully anticipates that with data collected for the next two years and recorded at the licensing machine when outfitters designate their clients as outfitted, the Department will be able to take a global look at those elk zones that were previously capped where outfitter tags were being turned back unsold. The Department can make a broader attempt through equitably distributing the set aside tags. He continued that following a petition request from the Idaho Outfitters and Guides Association (IOGA), the Commission did initiate rulemaking on the set aside tags and have moved forward with a proposal to provide the Commission authorization to set aside the maximum of 25% of the nonresident over-the-counter deer and elk tags. Mr. Rachael stated that there are several relatively minor changes currently being proposed to the existing capped zones. Additionally, staff is proposing the elimination of the South Hills B elk tag and there are not any replacement controlled hunts planned. The only other proposed change is a reduction in the capped Smokey Bennett B elk tags from

2,500 down to 1,000 tags. The result of this will reduce the current 7 outfitter allocated tags down to 3 tags. He continued that it is Director Schreiver's intent for the Department to regroup with new data on use taken across the new licensing system, to record the use and look at all the newly limited elk zones as well as the previously capped zones and in two years at the next season setting those will all be part of the plan at rebalancing to better reflect outfitted use in those designations. When it comes to controlled hunts, there are a small number of hunts the Department is looking at closely, and IDFG staff will be coming to the Board requesting some updated use information. These hunts are related to changes in the parent hunt or looking at options where a general season hunt has changed. He stated that the same philosophy was communicated by the Director for controlled hunts as capped hunts. Mr. Rachael stated that all the proposals are on their website.

MSC (MOTION: MASON; SECOND: OVERACKER; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) WITH ALL BUSINESS BEING COMPLETE ADJOURN THE MEETING AT 3:06 PM.



BRAD COMPTON, BOARD CHAIRMAN

6/17/2021

DATE

ATTEST:


LORI THOMASON, EXECUTIVE DIRECTOR

6-21-2021
DATE